

App. No. 09/488,337

Amendment A

Page 4 of 9

R E M A R K S

Reconsideration of the present application in view of the amendments and following remarks is respectfully requested. Claims 6, 12 and 18 have been amended. Eighteen claims are pending in the application: Claims 1 through 18.

Amendments to the specification:

1. The Examiner objected to the specification at page 4, line 7 for a minor informality. Applicants have amended the specification by replacing "flames" with "frames" as suggested by the Examiner, thus the objection is overcome.

Information Disclosure Statement

2. The Examiner has indicated to Applicants that the Information Disclosure Statement filed on March 19, 2001 failed to comply with the provisions of 37 C.F.R. § 1.97 and 1.98 because the references have been lost before the examination of the application. Applicants are submitting separately from this amendment a new Information Disclosure Statement along with copies of the references. Applicants request the Examiner fully consider all the references.

35 U.S.C. §112, Second paragraph

3. Claims 6, 12 and 18 stand rejected under 35 U.S.C. § 112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants have amended claims 6, 12 and 18 to address the rejections by the Examiner. Specifically, claims 6, 12 and 18 have been amended to recite "a DVD" such that the claims have proper antecedent basis. Applicants have also amended claim 6 to depend upon claim 1 so that claim 6 is dependent upon a previously

App. No. 09/488,337

Amendment A

Page 5 of 9

set forth claim and so that claim 12 is no longer a duplicate of claim 6. As is such, the rejections are overcome and claims 6, 12 and 18 are in condition for allowance.

35 U.S.C. § 103

4. Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,161,132 (*Roberts et al.*) in view of U.S. Patent No. 5,991,374 (*Hazenfield*).

Regarding independent claims 1, 7, and 13, the Examiner asserts that *Roberts et al.* show every feature of the claimed invention except for "allowing the information to be downloaded utilizing the network for playback after the simultaneous playback." The Examiner further asserts that *Hazenfield* shows "allowing the information to be downloaded utilizing the network for playback after the simultaneous playback" at Column 11, lines 5-25 and 60-65.

Hazenfield discloses a system for the playback of messages on a message on hold (MOH) telephone system. A MOH system is a system where messages are played over a phone line to a person who is waiting to for assistance. The system disclosed allows a subscriber the ability to control which track of a CD will play while the person is on-hold depending upon certain conditions, such as for example, interest rates, time of year, and current sales. The system further allows the subscriber to control which track or tracks of the CD will play at multiple remote locations from the subscriber.

The Examiner states that Column 11, lines 5-25 and 60-65 disclose "playback after the simultaneous playback" as claimed by Applicants. Column 11, lines 5-25 describes a system for sending data to the remote sites, the data determining what tracks of a CD to play while a person is waiting for assistance. The system further keeps a record of which remote sites have been sent data.

App. No. 09/488,337

Amendment A

Page 6 of 9

Column 11, line 60-65 disclose how the subscriber can select different tracks to play at the remote sites. The selected tracks are then played when a person is on the phone line waiting for assistance. *Hazenfield* does not disclose "playback after simultaneous playback" but disclose a system for setting which tracks on a CD will be played at multiple remote locations when someone is on hold on a phone line. The importance of having simultaneous playback is such that all the clients are synchronized. *Hazenfield* discloses no reason to simultaneously playback the tracks at the different remote sites as the CD is not played until a person is placed on hold. *Hazenfield* does not disclose or suggest any reason why two people on hold would need to hear a simultaneous playback. Thus, nowhere in the system disclosed by *Hazenfield* is there "playback after simultaneous playback" such as is claimed by Applicants.

In contrast, Applicants are downloading information that allows for the simultaneous playback of an event. Applicants system further "allows the information to be downloaded utilizing the network for playback after the simultaneous playback."

Hazenfield does not disclose simultaneous playback, thus does not disclose "playback after the simultaneous playback." Furthermore, as the Examiner has stated, *Roberts* does not disclose downloading information for playback after the simultaneous playback. *Roberts* also does not suggest any motivation why information would need to be downloaded for playback after the simultaneous playback.

Thus, the combination of *Roberts* and *Hazenfield* does not discloses "allowing the information to be downloaded utilizing the network for playback after the simultaneous playback" such as is claimed by Applicants. As is such, the Examiner has not made out a *prima facie* case of obviousness and the rejection is overcome. Thus, independent claims 1, 7 and 13 are in condition for allowance.

App. No. 09/488,337

Amendment A

Page 7 of 9

Claim 2-6, 8-12, and 14-18 are in condition for allowance at least because of their dependency upon allowable independent claims 1, 7 and 13. Thus, the rejection of claims 1-18 is overcome and the claims are in condition for allowance.

CONCLUSION

In view of the above, Applicant submits that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

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App. No. 09/488,337

Amendment A

Page 8 of 9

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

The following is a marked up version of the paragraph beginning at page 4, line 1:

Full-motion video implies that video images shown on the computer's screen simulate those of a television set with identical (30 frames-per-second) frame rates, and that these images are accompanied by high-quality stereo sound. A large amount of storage is required for high-resolution color images, not to mention a full-motion video sequence. For example, a single frame of NTSC video at 640-by-400 pixel resolution with 16-bit color requires 512K of data per frame. At 30 [frames] frames per second, over 15 Megabytes of data storage are required for each second of full motion video. Due to the large amount of storage required for full motion video, various types of video compression algorithms are used to reduce the amount of necessary storage. Video compression can be performed either in real-time, i.e., on the fly during video capture, or on the stored video file after the video has been captured and stored on the media. In addition, different video compression methods exist for still graphic images and for full-motion video.

In the claims:

The following is a marked up version of the claims to assist the Examiner in showing the amendments made to the claims:

6. A method as recited in claim [7] 1, wherein the information includes chapter information associated with [the] a DVD.

App. No. 09/488,337

Amendment A

Page 9 of 9

12. A computer program as recited in claim 7, wherein the information includes chapter information associated with [the] a DVD.

18. A system as recited in claim 13, wherein the information includes chapter information associated with [the] a DVD.